

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : Examiner: Dilek B.
Borenstein et al : Cobanoglu

Appln. No. : 10/038,458 : Group Art Unit: 3626

Filing Date : January 7, 2002 : Confirmation No.: 6837

Title: **Medication-Partnership
Program**

June 12, 2006

Mail Stop: ***Amendment***
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

S I R:

In response to the Office Action dated March 10, 2006, please consider the above application in light of the following:

Amendments to claims appear on page 2.

Remarks begin on page 5.

1. (Canceled)
2. (New) A method for monitoring compliance of a patient with a medication regimen, the method comprising:
 - logging on to a web site,
 - registering a patient at the web site;
 - receiving a report at the web site from the patient indicating whether the patient has taken medication; and
 - receiving a report at the web site from the patient indicating whether the patient has any symptoms after taking the medication.
3. (New) The method as recited in claim 2, wherein the patient enters his/her own code.
4. (New) The method as recited in claim 2, wherein a case manager performs the logging.
5. (New) The method as recited in claim 2, further comprising receiving a report at the web site from the patient describing any side effects.
6. (New) The method as recited in claim 2, further comprising:
 - accessing the web site;
 - reviewing any information reported by the patient; and
 - making a clinical intervention.
7. (New) The method as recited in claim 6, wherein the clinical intervention is based on a stage of treatment.
8. (New) The method as recited in claim 6, wherein the reviewing and making is performed by a physician.

9. (New) The method as recited in claim 8, wherein communication between the physician and the patient is asynchronous.

10. (New) The method as recited in claim 8, wherein the physician enters his/her own code at the web site.

11. (New) The method as recited in claim 6, wherein a case manager performs the reviewing and making.

12. (New) The method as recited in claim 2, wherein the reports are received from the patient daily.

13. (New) A web site enabling the monitoring of compliance of a patient with a medication regimen, the web site comprising:

means for receiving first input registering a patient at the web site;
means for receiving second input from a patient, the second input reporting whether the patient has taken medication, and reporting whether the patient has any symptoms after taking the medication.

14. (New) A system enabling the monitoring of compliance of a patient with a medication regimen, the system comprising:

a network;
a case manager connected to the network through a first browser, the case manager effective to perform the steps of
logging on to a web site, and
registering a patient at the web site;
the patient connected to the network through a second browser, the patient effective to perform the steps of

logging on to the web site;

reporting whether the patient has taken medication; and

reporting whether the patient has any symptoms after taking the medication.

Remarks

Claim 1 is cancelled. New claims 2-14 are added and pending.

Claim 1 was rejected under 35 U.S.C. § 102 as being unpatentable under U.S. Patent 6,980,958 to Surwit et al. (“Surwit”). To facilitate prosecution on the merits claim 1 is cancelled. New independent claims 2, 13 and 14 all recite a website and some communications of a patient with that website. The Surwit reference, while discussing the use of the internet, does not specifically provide for communication with a website. By providing such a website, a system in accordance with the invention may be implemented using readily available technology including internet browsers running on computers and even on dumb terminals. Any patient who knows how to operate a browser, can access the claimed web site and communicate therewith.

In contrast, the system described in the Surwit reference generally envisions a specially designed apparatus - i.e. a portable patient monitor “PPM”. See, e.g., column 7, line 56 - column 8, line 5; column 8, line 60 - column 10, line 57. Such a device is bulky, less portable than ubiquitous browsers which can access a web site, and requires a patient to learn how to use a new, unique piece of equipment. Patients who are not comfortable with new technology may end up failing to report their medication compliance. Surwit mentions that the PPM may use a browser, however there is no discussion of the PPM being able to communicate with a website. Therefore, it is asserted that new claims 2-14 are patentable over the Surwit reference.

The director is hereby authorized to charge any deficiency or credit or any overpayment to Deposit Account No. 23-2820.

Respectfully submitted,


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